IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR.

MCA No. 450 of 07
Shri Sanjay and ors v. Shri Ramsing and ors

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Office Notes, Office Memoranda of Coram, Court's or Judge's Orders
appearances, Court's orders or directions
and Registrar's orders.

Mr V.S. Dhote, Advocate for applicants.
Mr N.R. Bhishikar, Advocate for respondents.

Coram : A.B. Chaudhari, J

Dated : 20.8.2007

1/ This is an application for transfer of Civil Suit No. 5 of 2007 from the Court at Pandharkawda to the Court at Nagpur. The only reason advanced before me is that the applicant no. 3 is seriously ill and is not able to attend the court at Pandharkawda. Mr Bhisikar, learned counsel for respondents submits that if only one person is unable to attend the Court, he can be examined on commission if the request to that effect is made to the Court at Pandharkawda. He opposed the prayer for transfer of suit.

2/ Having heard the learned counsel for the parties, submission made by Mr Bhisikar is acceptable. It is not necessary to transfer the suit only for the said reason. On request by the applicants before the Trial Court, applicant no. 3 can be examined on commission. Application is, therefore, not entertained. It is accordingly dismissed. No costs.

Judge.

hsj